

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

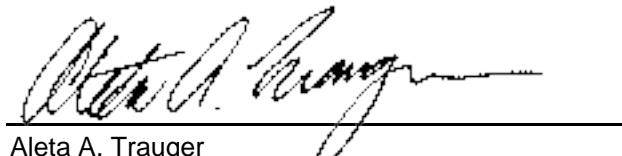
RAY N. THOMPSON, )  
Plaintiff, )  
v. ) Case No. 3:11-cv-1232  
DARON HALL, et al., ) Judge Trauger  
Defendants. )

**ORDER**

Plaintiff Ray N. Thompson, a state inmate presently confined at the Northwest Correctional Complex in Tiptonville, Lake County, Tennessee, has filed a complaint asserting claims under 42 U.S.C. § 1983 based on events that occurred when he was a pretrial detainee held at the Davidson County Criminal Justice Center. (ECF No. 1.) Now before the court is defendant Correct Care Solutions' motion to dismiss. (ECF No. 12.) Magistrate Judge Brown, to whom the matter was referred for all pretrial proceedings, has issued a Report and Recommendation (ECF No. 17) recommending that the motion be granted and this matter dismissed on the basis that the plaintiff's claims are barred by the applicable statute of limitations. The plaintiff has filed a written objection to the Report and Recommendation, asserting that his claims are not time-barred because the statute of limitations was tolled while he pursued administrative remedies, as required by the Prison Litigation Reform Act, 42 U.S.C. § 1997e(a).

For the reasons set forth in the Memorandum Opinion filed herewith, the court finds that the defendant has not carried its burden of establishing that the complaint is time-barred as a matter of law. The court therefore **REJECTS** the Magistrate Judge's recommendation and **DENIES WITHOUT PREJUDICE** the motion to dismiss (ECF No. 12). This matter is **REFERRED** back to the Magistrate Judge for further proceedings in accordance with 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72.

It is so **ORDERED**.



Aleta A. Trauger  
United States District Judge